

NEBRASKA
ENABLING ACT OF CONGRESS

An act to enable the people of Nebraska to form a Constitution and State Government, and for the Admission of such State into the Union on an equal footing with the original States.

[Passed April 19, 1864, U. S. Stat. At Large, vol. 13, p. 47.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the inhabitants of that portion of the Territory of Nebraska included in the boundaries hereinafter designated be, and they are hereby, authorized to form for themselves a constitution and State Government, with the name aforesaid, which State, when so formed, shall be admitted into the Union as hereinafter provided.

Sec. 4. And be it further enacted, That the members of the convention thus elected shall meet at the capital of said Territory on the first Monday in July next, and, after organization, shall declare, on behalf of the people of said Territory, that they adopt the Constitution of the United States; whereupon the said convention shall be, and it is hereby, authorized to form a constitution and State Government: Provided, That the constitution when formed shall be republican, and not repugnant to the Constitution of the United States and the principles of the Declaration of Independence; And provided further, That said constitution shall provide, by an article forever irrevocable, without the consent of the Congress of the United States:

First. That slavery or involuntary servitude shall be forever prohibited in said State.

Second. That perfect toleration of religious sentiment shall be secured, and no inhabitant of said State shall ever be molested in person or property on account of his or her mode of religious worship.

Third. That the people inhabiting said Territory do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within said Territory, and that the same shall be and remain at the sole and entire disposition of the United States, and that the lands belonging to citizens of the United States residing without the said State shall never be taxed higher than the land belonging to residents thereof; and that no taxes shall be imposed by said State on lands or property therein belonging to or which may hereafter be purchased by the United States.

Sec. 7. And be it further enacted, That sections number sixteen and thirty-six in every township, and when such sections have been sold or otherwise disposed of by any act of Congress, other lands, equivalent thereto, in legal sub-divisions of not less than one quarter-section, and as contiguous as may be, shall be, and are hereby, granted to said State for the support of common schools.

Sec. 11. And be it further enacted, That all salt springs within said state, not exceeding twelve in number, with six sections of land adjoining, or as contiguous as may be to each, shall be granted to said state for its use, the said land to be selected by the governor thereof, within one year after the admission of the state, and, when so selected, to be used or disposed of on such terms, conditions and regulations as the legislature shall direct: Provided, That no salt springs or lands, the right whereof is now vested in any individual or individuals, or which hereafter shall be confirmed or adjudged to any individual or individuals, shall, by this act, be granted to said state.

Sec. 12. And be it further enacted, That five per centum of the proceeds of the sales of all public lands lying within said state, which have been or shall be sold by the United States prior or subsequent to the admission of said state into the Union, after deducting all expenses incident to the same, shall be paid to the said state for the support of the common schools.